REMARKS/ARGUMENTS

Claims 1-13 and 15-16 are pending in the application. Reconsideration is requested in view of the above amendments and the following remarks.

Applicant is pleased that the Examiner has indicated that the pending claims 1-13, 15 and 16 define patentable subject matter, and that they would be allowable if rewritten or amended to overcome the section 112 rejection.

Applicant has reviewed the claims and has made amendments to more particularly articulate the invention in view of the Examiner's comments on page 5 of the Office Action. The Examiner considered the language of the previously amended limitations to lack support in the specification.

Claims 1-13 and 15-16 stand rejected under 35 U.S.C. 112 as failing to satisfy the written description requirement. This rejection is respectfully but strenuously traversed, and reconsideration and a withdrawal of the rejection are hereby respectfully requested.

Applicant describes the protocol parser in the specification, specifically pointing out that it may monitor transfers from a system.

> [0014] The preferred embodiments *monitor transfers from a system using a protocol parser* which may be placed on the client system, the server system, or other intermediate system or component. In the especially preferred Unix.RTM. embodiments, the protocol parser is a Unix.RTM. STREAMS module and driver activated when an application opens a STREAMS device of the proper type. In the especially preferred Windows.RTM. NT embodiments, the protocol parser is a WinNT driver activated when an application opens a communications channel

Applicant has amended the claims to recite a protocol parser that parses code based on code parameters of code that is passing through a communications channel. This language is supported by the Applicant's specification, and no new matter has been introduced. Applicant refers the Examiner to the specification passages referred to above, as well as the discussion in the specification that the protocol parser is placed so as to intercept code passing through a communications channel using code parameters.

> [0015] In the especially preferred embodiments, the *protocol parser is placed so as to intercept code passing through the channel* which uses the TCP protocol. Other possible parameters in the especially preferred embodiments include interception of code traveling through specific TCP port numbers, or code traveling in specific directions (e.g. from an external network to internal network). In other embodiments, any *code parameters known in the art may be used as interception parameters*.

The claims, as now amended, are believed to be fully supported by the specification, and no new matter has been introduced.

Reconsideration and a withdrawal of the outstanding rejection is respectfully traversed.

The Applicant notes the provisional rejections as recited in the prior response. Claims 1-13 stand rejected as being provisionally rejected on the ground of nonstatutory obviousness-type double patenting in view of:

claims 4-17 of copending application no. 09/800,328;

claims 1-36 of copending application no. 10/655,387; and

claims 1-12 of copending application no. 09/838,979.

As previously stated, reconsideration of the rejection is respectfully requested in

view of the above amendments and the remarks presented herein. Applicant

acknowledges that the rejection may be overcome by submitting a terminal disclaimer

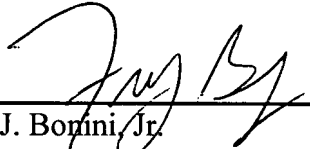and will submit one when this is the only rejection remaining.

Interview Requested for Further Matters

If further matters remain in connection with this case, the Applicant respectfully

requests and interview.

If necessary, an appropriate extension of time to respond is respectfully requested.

The Commissioner is authorized to charge any additional fees which may be

required to Patent Office Deposit Account No. 05-0208.

Respectfully submitted,
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